

<b>STATE OF MICHIGAN</b> JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	<b>ORDER TO TAKE CHILD(REN) INTO          PROTECTIVE CUSTODY          (CHILD PROTECTIVE PROCEEDINGS), PAGE 1</b>	<b>CASE NO.          PETITION NO.</b>
Court address		Court telephone no.

## 1. In the matter of

name(s), alias(es), DOB

(see reverse side for other identifying information)

2. Date of entry of order: \_\_\_\_\_ Judge/Referee: \_\_\_\_\_ Bar no.

Upon presentation of proofs as required by the court, **IT APPEARS:**
 3. There are reasonable grounds for this court to remove the child(ren) from the parent(s), guardian, or legal custodian in compliance with MCL 712A.2(b) and MCR 3.963(B) because conditions or surroundings of the child(ren) are such as to endanger the health, safety, or welfare of the child(ren), and it is **contrary to the welfare** of the child(ren) to remain in the home because:

4. ☐ a. Reasonable efforts to prevent removal of the child(ren) from the home were not made.  
☐ b. Reasonable efforts were made to prevent removal of the child(ren) from the home. Those efforts include: (specify)

- ☐ 5. a. Reasonable efforts are not required to prevent the child(ren)'s removal from the home due to  
☐ the ☐ mother's ☐ father's \_\_\_\_\_ subjecting the child(ren) to the aggravated circumstance(s) of \_\_\_\_\_ as provided in section MCL 722.638(1) and (2), and as evidenced by \_\_\_\_\_.

- ☐ the ☐ mother's ☐ father's conviction for murder of another child of the parent.  
☐ the ☐ mother's ☐ father's conviction for voluntary manslaughter of another child of the parent.  
☐ the ☐ mother's ☐ father's conviction for aiding or abetting in the murder or manslaughter of another child of the parent, attempting to murder the child(ren) or another child of the parent, or conspiring or soliciting to commit the murder of the child(ren) or another child of the parent.  
☐ the ☐ mother's ☐ father's conviction for felony assault that resulted in serious bodily injury to the child(ren) or another child of the parent.  
☐ the ☐ mother's ☐ father's involuntary termination of parental rights to a sibling of the child(ren).

- b. Reasonable efforts to preserve and reunify the family to make it possible for the child(ren) to safely return home are  
☐ not required because the parent subjected the child or another child of the parent to one of the circumstances stated above.  
**OR**  
☐ still recommended because:

(when item 5 is checked, schedule a permanency planning hearing within 30 days of this determination)

(SEE SECOND PAGE)

Do not write below this line - For court use only

<b>STATE OF MICHIGAN</b> JUDICIAL CIRCUIT - FAMILY DIVISION COUNTY	<b>ORDER TO TAKE CHILD(REN) INTO          PROTECTIVE CUSTODY          (CHILD PROTECTIVE PROCEEDINGS), PAGE 2</b>	<b>CASE NO.          PETITION NO.</b>
Court address		Court telephone no.

In the matter of

**IT IS ORDERED:**

**TO ANY PEACE OFFICER:** \_\_\_\_\_

6. The child(ren) shall be taken into protective custody and

- ☐ a. placed with the Department of Human Services for care and supervision.
- ☐ b. placed at \_\_\_\_\_ for medical observation and treatment until medically released to \_\_\_\_\_ for placement at \_\_\_\_\_.

7. To effect this order you are authorized to enter the premises located at \_\_\_\_\_.

8. The parent(s), guardian(s), or legal custodian(s) of the child(ren) shall be directed to appear for a preliminary hearing in this matter to be held on \_\_\_\_\_ at \_\_\_\_\_.

9. This authorization to enter the premises and take the child(ren) into protective custody expires \_\_\_\_\_.

☐ Enter on LEIN

\_\_\_\_\_  
 Judge

**NOTE** to parent, guardian, or legal custodian: If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you to fully participate in court proceedings, please contact the court immediately to make arrangements.

**MCL 722.638 - AGGRAVATED CIRCUMSTANCES**

- (1) The Department shall submit a petition for authorization by the court under Section 2(b) of Chapter XIIA of 1939 PA 288, MCL 712A.2, if one or more of the following apply:
- (a) The Department determines that a parent, guardian, or legal custodian, or a person who is 18 years of age or older and who resides for any length of time in the child's home, has abused the child or a sibling of the child and the abuse included one or more of the following:
    - (i) Abandonment of a young child.
    - (ii) Criminal sexual conduct involving penetration, attempted penetration, or assault with intent to penetrate.
    - (iii) Battering, torture, or other severe physical abuse.
    - (iv) Loss or serious impairment of an organ or limb.
    - (v) Life threatening injury.
    - (vi) Murder or attempted murder.
  - (b) The Department determines that there is risk of harm to the child and either of the following is true:
    - (i) The parent's rights to another child were terminated as a result of proceedings under Section 2(b) of Chapter XIIA of 1939 PA 288, MCL 712A.2, or a similar law of another state.
    - (ii) The parent's rights to another child were voluntarily terminated following the initiation of proceedings under Section 2(b) of Chapter XIIA of 1939 PA 288, MCL 712A.2, or a similar law of another state.
- (2) In a petition submitted as required by subsection (1), if a parent is a suspected perpetrator or is suspected of placing the child at an unreasonable risk of harm due to the parent's failure to take reasonable steps to intervene to eliminate that risk, the Department of Human Services shall include a request for termination of parental rights at the initial dispositional hearing as authorized under Section 19b of Chapter XIIA of 1939 PA 288, MCL 712A.19b.

IDENTIFYING INFORMATION							
Name	Race	Sex	Height	Weight	Hair color	Eye color	Date of birth
Name	Race	Sex	Height	Weight	Hair color	Eye color	Date of birth
Name	Race	Sex	Height	Weight	Hair color	Eye color	Date of birth
Name	Race	Sex	Height	Weight	Hair color	Eye color	Date of birth
Home address			City	State	Zip	Telephone number	
Father's name		Address		City	State	Zip	Telephone number
Mother's name		Address		City	State	Zip	Telephone number
Pickup radius <input type="checkbox"/> Statewide <input type="checkbox"/> Other:				Court ORI MI			
Reason for pickup is stated in item 3 on the other side of this order.							

OFFICER'S CUSTODY STATEMENT AND RECORD OF NOTIFICATION

1. I certify and return that I have taken \_\_\_\_\_  
Child(ren)'s name(s)  
 into custody on \_\_\_\_\_ at \_\_\_\_\_ and have delivered the child(ren)  
Date Time  
 to \_\_\_\_\_ .  
Place of temporary placement
2. I ☐ notified ☐ attempted to notify the parent(s), guardian, or legal custodian listed below that the child(ren) has/have been  
 taken into protective custody and that a preliminary hearing will be held on \_\_\_\_\_  
Date and time  
 at \_\_\_\_\_ .  
Place

NAME	METHODS USED (reasons for failure to notify must be noted)	DATE	TIME
Father			
Mother			
Guardian/Legal custodian			
Other			

I declare that this custody statement has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

\_\_\_\_\_

Date

\_\_\_\_\_

Signature

\_\_\_\_\_

Agency name